

THE BOARD OF EXAMINERS OF PSYCHOLOGY MINUTES
October 9, 2006

A regular meeting of the Board of Examiners of Psychology was held at the Division of Occupations and Professions, 911 Leawood Drive, Frankfort, Kentucky on October 9, 2006.

MEMBERS PRESENT

S. Abby Shapiro, Ph.D., Vice Chair
William G. Elder, Jr., Ph.D.
Andrew B. Jones, Jr., Ph.D.
Andrew A. Meyer, Ph.D.
Diane Sobel, Ph.D.
Richard Applegate, M.A.
Barbara Kay Jefferson, Ph.D.
Amanda Brook White

MEMBERS NOT PRESENT

John C. Runyon, M.S.

OCCUPATIONS & PROFESSIONS STAFF

Claude Wagner, Director
Patricia Dempsey, Board Administrator

OTHERS PRESENT

Mark Brengelman, Board Attorney

GUESTS

Brian Gallagher, Applicant for licensure

CALL TO ORDER

S. Abby Shapiro, Ph.D., Vice Chair, called the meeting to order at 10:15 a.m.

APPOINTMENTS

William G. Elder, Jr., Ph.D. was sworn in as a member of the Kentucky Board of Examiners of Psychology by Janet Cox.

Introductions were given to Dr. Elder by each member of the Board.

MINUTES

The minutes of the August 28, 2006 regular meeting were called to the attention of the members. A motion was made by Dr. Meyer to approve the minutes, as presented. Motion, seconded by Dr. Jefferson, carried.

FINANCIAL STATEMENT

The Board reviewed the financial statement indicating a balance of \$293,780.01 as of August 31, 2006. A motion was made by Dr. Jefferson to accept the financial statement, as presented. Motion, seconded by Dr. Sobel, carried.

DIRECTORS REPORT

Claude Wagner opened the discussion about records retention and the imaging system being implemented. Mr. Wagner discussed the Records Retention Schedule process and stated that he is working with the Kentucky Department of Library and Archives on this.

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Dr. Meyer mentioned the potential for breach of computer security and Mr. Wagner said this issue will be addressed in upcoming meetings.

Vice Chair, Dr. Shapiro voiced concerns about approving the Records Retention Schedule at this meeting and asked members of the Board to send any comments and/or concerns to her which she will forward to Mr. Wagner before the next Board meeting so it can be voted on. Board members and staff made suggestions on the Records Retention Schedule which will be collected by Dr. Shapiro for formal presentation to the Board for consideration.

A motion was made by Dr. Meyer to approve the Records Retention Schedule as presented. Motion, opposed by Dr. Jefferson, did not carry.

COMPLAINTS SCREENING COMMITTEE

- Case 00-05 – Committee still waiting on a decision by the State Supreme Court on Dr. Maggard's request to take his case on appeal. No action taken at this meeting.
- Case 05-14 – Board to acquire outside counsel; KBEP granted 60 days from September 26, 2006 to acquire new counsel; consider complaint. Mr. Applegate, Chair of the Complaints Screening Committee recommended sending a letter to the Board of Licensed Professional Counselors with a complaint against Brenda Luther, such action being at the suggestion of the Board of Licensed Professional Counselors as voiced at a September 29, 2006 meeting with representatives of both boards. Mark Brengelman, Board Attorney recommended going into closed session at the end of this meeting to discuss.
- Case 06-05 – Discussed and reviewed. Investigation in progress. No action taken at this meeting.
- Case 06-08 – Discussed and reviewed. Complaints Screening Committee waiting for reply to Cease and Desist Affidavit. Recommendation to send a reminder letter to Donald L. McNary, former temporarily licensed psychologist.
- Case 06-09 – A motion was made by Dr. Jefferson to dismiss. Motion, seconded by Dr. Meyer, carried. Dr. Shapiro, Dr. Sobel and Mr. Applegate were recused from voting.
- Case 06-10 – A motion was made by Dr. Meyer to dismiss. Motion, seconded by Dr. Jones, carried. Dr. Shapiro, Dr. Sobel and Mr. Applegate were recused from voting.
- Case 06-11, 12, 13 – Discussed and reviewed. Investigation in process. No action taken at this meeting.
- Case 06-15 – A motion was made by Dr. Jefferson to dismiss with letter to psychologist. Motion, seconded by Dr. Meyer, carried. Dr. Shapiro, Dr. Sobel and Mr. Applegate were recused from voting.

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- Case 06-16 – A motion was made by Dr. Jefferson to dismiss with letter to complainant outlining our complaint procedures. Motion, seconded by Dr. Jones, carried.

COMMITTEE REPORTS

- **SUPERVISION COMMITTEE**

Ongoing progress and routine monitoring.

- **CONTINUING EDUCATION COMMITTEE**

Ongoing progress and routine monitoring.

- **CREDENTIALS REVIEW COMMITTEE**

Ongoing progress and routine monitoring.

- **EXAMINATION COMMITTEE**

The Board gave oral examinations on September 22, 2006 for seventeen (17) applicants with twelve (12) passing and five (5) failing. Two (2) feedback letters mailed out to oral examination candidates requesting such.

- **DISCIPLINED PSYCHOLOGISTS REPORT**

Agency Case No. 06-05, Nan Goheen, M.S. - *Letter from disciplined psychologist requesting a change in agreed payment schedule*

The Board agreed to allow disciplined psychologist Nan Goheen, M.S., to change her agreed payment date from the first (1st) of each month to the fifteenth (15th) of each month. The Board also approved the payment of the fine in full, if desired.

It was brought to the attention of the Board that Ms. Goheen has not completed her required evaluation with Dr. Marilyn Wagner nor begun the supervision process with Dr. Kim Jonason. Ms. Goheen made a request through her attorney for an extension to undergo this evaluation. The Board agreed to extend her evaluation for thirty (30) days but agreed that she cannot practice until the Board has received and reviewed the results of the evaluation. It was mentioned that Dr. Jonason will not begin supervision until evaluation has been completed and is reviewed by the Board.

A motion was made by Dr. Meyer to accept these recommendations from the Complaints Screening Committee. Motion, seconded by Dr. Jefferson, carried. Recused were Dr. Shapiro, Dr. Sobel and Mr. Applegate.

Agency Case No. 05-10, Stuart Palmer, Psy.D. - *Letter from disciplined psychologist updating Board of progress*

Reviewed by the Board. No action taken at this meeting as the status update was otherwise acceptable to the Board.

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EXPIRED LICENSURE REPORT

Expired license report reviewed. A motion was made by Mr. Applegate to send standard letter to psychologists who have let their license expire without renewal. Motion, seconded by Dr. Sobel, carried.

OLD BUSINESS

Reply letter from Psychological Associate, Kathleen Powers, M.S. – arrangements to repay student loan to KHEAA.

Reviewed and discussed. The Board agreed that this Psychological Associate will be eligible for renewal. No action taken at this meeting.

NEW BUSINESS

Letter from National Alliance of Professional Psychology Providers (NAPPP)

Reviewed and discussed. Dr. Jones to send letter welcoming NAPPP to submit an application and fee to become a Continuing Education sponsor.

E-mail from Dr. Larry Curl requesting feedback on ethical question

A motion was made by Dr. Meyer to reply in writing to Dr. Curl's request. Motion, seconded by Dr. Shapiro, carried.

E-mail from Kellie Jones-Licensed Psychological Associate- requesting feedback on ethical question

A motion was made by Mr. Applegate to reply in writing to Ms. Jones request. Motion, seconded by Dr. Jefferson, carried.

E-mail from Maura Murphy-Question on "writing up behavioral plans for home care"

Reviewed and discussed. Recommendation to forward this email to the Board of Licensed Professional Counselors.

New Licensee Report

Reviewed and discussed. No action taken at this meeting.

2007 Oral Examination Dates

Oral examination dates tentatively set for February 23rd, June 1st, September 14th, and December 14th pending the availability of the testing site.

Oral Re-examination by Team of Psychologists

One oral re-examination will be given by a panel of the Board and is tentatively scheduled for December 4, 2006.

ASPPB Newsletter

ASPPB newsletter reviewed. Dr. Shapiro asked the Board for written materials to go into the KBEP newsletter. Ms. White graciously volunteered her professional services to help with the newsletter.

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OTHER BUSINESS

Dr. Shapiro asked the Board that their Chair and Vice Chair nominations be forwarded to Ms. Dempsey who will contact the nominee regarding their willingness to run. Voting will take place at the December 4, 2006 meeting.

A motion was made by Dr. Sobel to go into closed session per KRS 61.810 (c) to discuss *KBEP v. Brenda Luther*. Motion, seconded by Dr. Jones, carried.

A motion was made by Dr. Jefferson to go back into open session. Motion, seconded by Dr. Elder, Jr., carried.

A motion was made by Dr. Jefferson to file an initiating complaint with the Kentucky Board of Licensed Professional Counselors, at its invitation, over the activities of Brenda Luther. Motion, seconded by Dr. Sobel, carried.

Mr. Wagner stated he will talk with the Board of Licensed Professional Counselors about the intentions of the Board of Examiners of Psychology.

TRAVEL AND PER DIEM

A motion was made by Ms. White to approve payment of travel expenses and per diem compensation for eligible members in attendance at today's meeting. Motion, seconded by Dr. Jefferson, carried.

NEXT MEETING

The next scheduled Board meeting is to be held on Thursday, November 16, 2006 at 2:30 p.m. at the Galt House in Louisville, Kentucky.

ADJOURN

The meeting adjourned at 12:30 p.m.



Approved